THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.7354 OF 2006

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ORDER:

Petitioner claims to be the daughter of one Bellareddy Veera Venkata Rajendra Prasada Reddy. It is stated that she is in continuous possession and enjoyment of Ac.13.74 cents of land situated in R.S.Nos.206 and 207 of Darbhagudem village, having succeeded the same from her father. It is also the case of the petitioner that proceedings under the A.P. Scheduled Areas Land Transfer Regulations 1 of 1959 as amended by Regulations 1 of 1970 were initiated against her father long back, but the same were dropped by the special Deputy Collector, Tribal Welfare, K.R. Puram by order dated 13.04.1995, holding that the father of the petitioner was not in possession of the land in question in violation of the provisions of the A.P. Scheduled Areas Land Transfer Regulations 1 of 1959 as amended by Regulations 1 of 1970 (for short "Regulations 1 of 1970). While so, the impugned notice dated 17.03.2006 has been served on the petitioner alleging that she is in possession of the land in question in violation of the provisions of the Regulations 1 of 1970. Accordingly, she was called upon to appear before the special Deputy Collector, Tribal Welfare, Kotaramachandrapuram on 28.03.2006 together with relevant record to support her title, if any. Questioning the said notice, this Writ Petition is filed.

The contention of the learned counsel for the petitioner is that since the proceedings initiated against the father of the petitioner were dropped vide order dated 13.04.1995, which have become final, respondents are not justified in initiating proceedings on the very same allegation that the petitioner is in possession of the land in question in violation of the Regulations 1 of 1970.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare, appearing for the respondents, and having regard to the fact that the impugned notice is only a show cause notice under which the petitioner was called upon to produce relevant material to substantiate her title, I am of the opinion that interference of this Court at this stage is unwarranted. If the petitioner had succeeded the said land from her father Bellareddy Veera Venkata Rajendra Prasada Reddy, it is for the petitioner to produce relevant material before

the Special Deputy Collector, in which event after conducting necessary enquiry appropriate orders will be passed. Without submitting such explanation, the present writ petition filed by the petitioner is premature, and therefore, cannot be entertained.

Accordingly, the Writ Petition is disposed of granting liberty to the petitioner to submit necessary explanation together with supporting material within a period of two weeks from today, in which event, the respondents shall consider the same and pass appropriate orders in accordance with law. Till such time, the petitioner shall not be dispossessed from the land in question.

The Writ Petition is accordingly, disposed of. No costs.

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(G. ROHINI, J.)

17th April, 2006.

Kgr

Issue CC in three days.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.7354 OF 2006

17th April, 2006.

Between:

Muppidi Sesha Kumari. .. Petitioner.

And

The Special Deputy Tahsildar,

Tribal Welfare, Kotaramachandrapuram,

Buttaigudem Mandal, West Godavari District

And another .. Respondents.